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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,983	08/13/2001	Barry J. Gilhuly	1400-1072 P6	8317

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EXAMINER

STRANGE, AARON N

ART UNIT	PAPER NUMBER
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2448

NOTIFICATION DATE	DELIVERY MODE
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01/06/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 09/928,983	Applicant(s) GILHULY ET AL.	
	Examiner AARON STRANGE	Art Unit 2448	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 242-262 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 242-262 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 9/29/2010 have been fully considered but they are not persuasive.

2. With regard to claim 242, and Applicant's assertion that Rahman fails to disclose "detecting new data items for the user as they arrive at the messaging system by the redirector host system" (Remarks 13), the Examiner respectfully disagrees.

Rahman discloses a redirector host system (wireless data server 20) that detects new data items (incoming data messages are detected and trigger transmission of the abstract, preview of both)(col. 10, ll. 53-58;col. 12, ll. 4-6) as they arrive at a messaging host system (messages are detected and processed as they are received by the receiver 34 of the wireless data server 20)(col. 10, ll. 53-58).

3. It appears that Applicant has misunderstood the basis of the rejection, mistakenly assuming that Rahman's computer 42 was relied upon to reject the claimed "messaging host system" (Remarks 14-15). However, as discussed above, the receiver of Rahman's wireless data server teaches the claimed messaging host system.

It is noted that the current claims do not contain any language requiring the redirector host system and messaging host system to be physically separate devices that are precluded from being integrated into a single computer apparatus. Therefore, Rahman's receiver, which is a component of the wireless data server, falls within the

Art Unit: 2448

broadest reasonable interpretation of the claimed messaging host system, since it receives messages that are detected by a redirector host system (wireless data server 20), and processed accordingly.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 242, 245, 246, 249, 252, 253, 256, 259 and 260 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rahman (US 7,505,759) in view of Gehrmann et al. (WO 00/31931).

6. With regard to claim 242, Rahman discloses a method of redirecting data items from a messaging host system (receiver 34) to a user's mobile device, comprising the steps of:

establishing a communications link between a redirector host system (wireless data server 20) and the user's mobile device (redirector host communicates with mobile devices via wireless system)(col. 2, ll. 23-34);

detecting new data items for the user as they arrive at the messaging host system by the redirector host system (incoming data messages received by the receiver

Art Unit: 2448

are detected by the redirector and processed accordingly)(col. 10, ll. 53-58; col. 12, ll. 4-6);

transmitting the new data item to the user's mobile device in real time (message previews are directed to the user immediately, with the complete message following as directed by the user)(col. 12, ll. 4-37).

Rahman fails to specifically disclose generating encryption/decryption keys at the redirector host, using a secure communications link to transmit the decryption key to the user's mobile device or encrypting the data items prior to transmitting them to the user's mobile device.

Gehrmann discloses a similar system for redirecting selected electronic messages to a mobile device (Abstract). Gehrmann teaches a redirector host system (e-mail gateway)(fig. 1, elements 24-30; p. 10, ll. 19-19-21) generating and storing an encryption key (K_s) (p. 8, ll. 7-10; p. 9, ll. 3-8), generating a decryption key (K_s is also used for decryption)(p. 8, ll. 26-28), and forwarding the decryption key to the user's mobile device via a secure communication link (user A [gateway] encrypts K_s and sends it to user B [the client])(p. 8, ll. 10-12 and 15-17). Gehrmann further discloses encrypting a message with the generated key, K_s (p. 8, ll. 8-10). This would have been an advantageous addition to the system disclosed by Rahman since it would have protected the messages from interception during transmission to the client.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to encrypt the redirected messages prior to transmission to

Art Unit: 2448

ensure that they were not intercepted by unauthorized recipients during transmission to the client.

7. With regard to claim 245, Gehrman further discloses that the steps of generating a first encryption key at the redirector host system and generating a first decryption key at the redirector host system further comprise generating a shared key (K_s is a shared key)(p. 8, ll. 7-28).

8. With regard to claim 246, Gehrman further discloses that the first encryption key and the first decryption key are generated according to a symmetric key encryption scheme (K_s is a symmetric key used for both encryption and decryption)(p. 7, ll. 14-16; p. 8, ll. 7-28).

9. Claims 249, 252, 253, 256, 259 and 260 are rejected under the same rationale as claims 242, 245 and 246, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

10. Claims 243, 250 and 257 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rahman (US 7,505,759) in view of Gehrman et al. (WO 00/31931) further in view of Official Notice.

Art Unit: 2448

11. With regard to claim 243, while the system disclosed by Rahman and Gehrmann shows substantial features of the claimed invention (discussed above), it fails to disclose establishing a serial connection between the redirector host system and the user's mobile device as the secure communications link.

The Examiner takes Official Notice that serial connections for transferring data between two computers were old and well known in the art at the time the invention was made. Gerhmann discloses that the mobile device may be connected to the network via a wireless connection "or any other appropriate" connection (p. 5, ll. 26-28). One of ordinary skill in the art would have been aware of serial connections and would have recognized that a serial connection could have been used as the connection means, for example, when the mobile device is currently stored in a docking station.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a serial connection between the redirector host system and the user's mobile device, since serial connections, when available, are typically less expensive and more secure than wireless connections.

12. Claims 250 and 257 are rejected under the same rationale as claim 243, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

Art Unit: 2448

13. Claims 244, 251 and 258 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rahman (US 7,505,759) in view of Gehrmann et al. (WO 00/31931) further in view of Mansour et al. (US 2005/0278641).

14. With regard to claim 244, while the system disclosed by Rahman and Gehrmann shows substantial features of the claimed invention (discussed above), it fails to disclose that establishing the secure communications link comprises using Internet Message Access Protocol (IMAP) over Secure Sockets Layer (SSL) protocol.

Mansour teaches that IMAP over SSL allows communications between a server and a client to be "fully encrypted" (§29). Since Rahman and Gehrmann use encryption to protect messages in transmission, and IMAP over SSL is a known encryption method, the use of IMAP over SSL in the combined system of Rahman and Gehrmann would have been nothing more than a predictable variation of the encryption methods used by that system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the well known IMAP over SSL protocol to "fully encrypt" messages transmitted between a server and a client.

15. Claims 251 and 258 are rejected under the same rationale as claim 244, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

16. Claims 247, 248, 254, 255, 261 and 262 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rahman (US 7,505,759) in view of Gehrmann et al. (WO 00/31931) further in view of Doonan et al. (US 6,807,277).

17. With regard to claims 247 and 248, while the system disclosed by Rahman and Gehrmann shows substantial features of the claimed invention (discussed above), it fails to disclose that the encryption key and decryption key are public and private keys, respectively.

Doonan discloses a similar system for transmitting encrypted messages via a network (Abstract). Doonan teaches using public/private asymmetric encryption keys as an alternative to symmetric encryption keys, and discloses that several asymmetric encryption algorithms are well known (col. 9, ll. 54-61). One of ordinary skill in the art would have recognized that symmetric key encryption and asymmetric key encryption were predictable variations of one another, and would have selected one or the other based on the security needs and capabilities of the system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use asymmetric public/private key encryption as an alternative to symmetric key encryption.

18. Claims 254, 255, 261 and 262 are rejected under the same rationale as claims 247 and 248, since they recite substantially identical subject matter. Any differences

Art Unit: 2448

between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON STRANGE whose telephone number is (571)272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron Strange/
Primary Examiner, Art Unit 2448